

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Civil File No. 12-81 (RHK/JJG)

United States of America,

Plaintiff,

v.

**FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
ORDER FOR ENTRY OF JUDGMENT**

International Gymnastics of Minnesota, LLC,
and Irina Kim,

Defendants.

This matter was heard before the undersigned on the 12th day of June, 2012.

Although there was no appearance on behalf of the Defendant, the United States informed the Court that Defendant Kim had filed for a Chapter 7 bankruptcy. Based on the Motion, and all the files, records, and proceedings herein, the Court makes the following:

FINDINGS OF FACT

1. The Summons and Complaint were filed with the Court on January 10, 2012. The service was accomplished upon Defendant International Gymnastics of Minnesota, LLC, on January 19, 2012, and upon Defendant Kim on February 9, 2012.

2. Defendants have failed to file and serve a response or Answer to the Complaint. The Application for Entry of Default and Affidavit of Erika Mozangue in support of the Application for Entry of Default were filed with the Court on March 9,

2012. The Clerk's Entry of Default was entered on March 9, 2012, pursuant to Federal Rule of Civil Procedure 55(a).

3. Defendant International Gymnastics obtained an express loan line of credit from the Small Business Administration in the amount of \$50,000 on January 19, 2007. International Gymnastics executed a Line of Credit Agreement and Terms with Guaranty. (Compl., Ex. A.) This line of credit was personally guaranteed by Defendant Kim. (Id.)

4. Defendants ceased making payments on December 8, 2009.

5. The express loan line of credit remains unpaid.

6. Defendants owe the United States an unpaid principal balance of \$45,554.96, and administrative costs of \$15,498.08.

7. Defendant Kim has filed for Chapter 7 bankruptcy.

CONCLUSIONS OF LAW

1. Defendants are in default, and Plaintiff is entitled to Entry of Judgment.

2. Defendants are liable to the Plaintiff for \$45,554.96 per the Line of Credit Agreement, \$15,498.08 in administrative costs, and \$350.00 pursuant to 28 U.S.C. § 2412.

ORDER

Based on the foregoing, and all the files, records, and proceedings herein, **IT IS ORDERED** that:

1. The entry of judgment against Defendant Irina Kim is stayed until further order of the Court; and

2. The Government's Motion for Default Judgment (Doc. No. 9) is
GRANTED with respect to Defendant International Gymnastics of Minnesota, LLC; and

3. Judgment in the amount of \$61,403.04 shall be entered against Defendant International Gymnastics of Minnesota, LLC in favor of the Government.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 19, 2012

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge